

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF OKLAHOMA**

**MELISSA PHILLIPS,**

**Plaintiff,**

v.

**JESSE JAMES et al.,**

**Defendants.**

**Case No. 21-CV-256-JFH-GJL**

**ORDER**

Before the Court is the Report and Recommendation of United States Magistrate Judge Gerald L. Jackson. Dkt. No. 31. The Magistrate Judge recommends that Defendants' Motion to Dismiss [Dkt. No. 15] be GRANTED and that Plaintiff's Motion for Preliminary Injunction [Dkt. No. 5] and Motion for Leave to File Supplemental Pleading [Dkt. No. 26] be DENIED as moot. Dkt. No. 31 at 16.

Neither party objected to the Magistrate Judge's Report and Recommendation within the 14-day period prescribed by 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72(b). Having reviewed the Report and Recommendation, the Court concurs with the Magistrate Judge's recommendation, and accepts and adopts it as the order of the Court. On that basis, Defendants' Motion to Dismiss [Dkt. No. 15] is GRANTED and Plaintiff's Motion for Preliminary Injunction [Dkt. No. 5] and Motion for Leave to File Supplemental Pleading [Dkt. No. 26] are DENIED as moot. Additionally, Plaintiff's Motion for Sanctions [Dkt. No. 32] and Motion to Strike Defendants' Motion to Dismiss [Dkt. No. 33], which were filed after the Magistrate Judge's Report and Recommendation, are DENIED as moot.

IT IS SO ORDERED this 6th day of February 2023.

  
\_\_\_\_\_  
JOHN F. HEIL, III  
UNITED STATES DISTRICT JUDGE